

## REMARKS

Claims 1-36 were pending in the present application and rejected. Claims 1, 5-9, 11-14, 17, 21, 22, 25, 26, 29-31, and 33 are amended, and claims 10 and 32 are canceled.. No new matter is added. The rejections are respectfully traversed in light of the following remarks, and reconsideration is requested.

### Rejections under 35 U.S.C. §102

Claims 1-6, 9-10, 17-21, 25, and 29-32 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,200,658 to Goeller et al. (hereinafter Goeller).

The Examiner maintains the rejections from the previous Final Office Action. In the Examiner's response to Applicant's previous arguments, the Examiner states that "the user-reported data, in the least, may include the users request data packets which purports the location of the user through internet hops." Applicant respectfully disagrees and amends the claims to more clearly recite Applicant's invention.

As discussed previously, Goeller teaches the following: Client devices generate request data packets (trace-route commands), resulting in the IP address of each router or server (at each Internet hop) being transmitted back to the client device making the request. The client device collects the IP addresses resulting from the one or more trace-routes to the various routers or servers along the route. The client device then transmits the IP addresses to a service provider attempting to determine location, where the service provider uses this information to look up location information, among other information, from a database. This database contains location information for each IP address. Using the location information, the service provider makes a determination whether the client device is likely within or outside a given geographic area. (See, at least, the Abstract, col. 2, line 21 to col. 3, line 20, col. 4, lines 47-67, col. 5, lines 32-58, and Figs. 1-5) (emphasis added).

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The Examiner construes “request data packets” or “trace-route commands” as the “user-reported data” recited in Applicant’s claims. Applicant has amended the independent claims to recite “user-reported geographic locations,” support for which is found in Applicant’s specification, at least, at page 5, lines 6-11. Home or business addresses, driver’s license numbers or states, or phone numbers are all examples in Applicant’s specification of user-provided geographic locations. Applicant believes “user-reported geographic locations” is clearly different than the “request data packets” or “trace-route commands” in Goeller that result in the IP address of routers at each hop being transmitted to the client device. These are not “user-reported geographic locations” like home or shipping addresses, phone numbers, etc. The request data packets of Goeller do not allow the user to enter or report different geographic locations; the request data packets simply start a process that transmits back IP addresses of servers along a trace-route.

Thus, Applicant believes the independent claims, as amended, are patentable over Goeller for this reason.

In addition, Applicant has amended claim 1 to more clearly recite an embodiment of Applicant’s invention. In particular, claim 1 is amended to recite “obtaining . . . user-reported geographic locations from a plurality of users of the communications network for one network address; . . . correlate the stored geographic locations with the stored network address and to generate predictive data identifying a predicted geographic location for the one network address based on the stored geographic locations for the plurality of users; . . . identify a predicted geographic location of a particular user of the communications network as a function of the one network address through which the particular user accesses the communications network.” Support is found throughout Applicant’s specification, such as at page 4, line 24 to page 6, line 6, and page 12, line 7 to page 14, line 22. Thus, no new matter is added.

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As is clear in the claim language and throughout Applicant's specification, multiple users from the same network or IP address provide geographic location information to a system, such as eBay. Each user may have a different integrity rating, which can be based on many different factors. These ratings are used to predict the accuracy or validity of a new user using that same network address to access a site. Thus, the prediction is based on a predicted integrity or other measure of a plurality of users accessing a site on the same network address self-reporting geographic location. As described in the specification, a company may have many users using the same IP address, but in different locations. With a system such as eBay or PayPal having a large number of users, it is possible for geographic location to be predicted for a user based solely on self-reported geographic locations from other users using the same network address.

Goeller, in contrast, teaches identifying geographic location of nodes on a communication path between a client node and determining whether the node locations are within a given geographic region, based on look-up information from a database, such as ICANN. (See, at least, the Abstract, col. 2, line 21 to col. 3, line 20, col. 4, lines 47-67, col. 5, lines 32-58, and Figs. 1-5). There is no teaching or suggestion of the process recited in claim 1.

Therefore, claim 1 is believed further patentable over Goeller for this reason.

Independent claims 17 and 25 have been amended similarly to claim 1. Thus, for reasons similar to claim 1 discussed above, claims 17 and 25 are patentable over Goeller.

Claims 2-6, 9-10, 18-21, and 29-32 depend on claims 1, 17, and 25 and are therefore patentable over Goeller for at least the same reasons as claims 1, 17, and 25 discussed above.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. §102.

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Rejections under 35 U.S.C. §103

Claim 2-3, 11-13, 18-19, 22-23, 27-28, and 33-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller in view of U.S. Patent No. 7,062,572 to Hampton (hereinafter Hampton).

Hampton was cited for teaching various limitations of dependent claims. Hampton discloses storing mapping requests from users and using information from the IP addresses to create a database for determining geographic locations. (See, e.g., Fig. 2). Thus, the location data is determined from the IP addresses, not from user-reported geographic location, as recited in claims 1, 17, and 25.

Furthermore, Hampton teaches analyzing a correspondence between multiple IP addresses and multiple mapping requests from a plurality of users. (See, e.g., Abstract and Fig. 2).

Therefore, Hampton does not remedy the deficiencies of Goeller as discussed above with respect to claims 1, 17, and 25.

Because claims 2-3, 11-13, 18-19, 22-23, 27-28, and 33-34 depend on claims 1, 17, and 25, these claims are patentable over Goeller in view of Hampton for reasons similar to claims 1, 17, and 25 discussed above.

Claim 7-8, 14, 16, 27, and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller in view of Hampton and further in view of U.S. Publication No. 2003/0023541 to Black et al. (hereinafter Black).

Black discloses verifying a billing and/or alternate address associated with a transaction card purchase. (See Abstract). Thus, Black simply teaches the user entering in a request location (such as billing address), which the system verifies against its records for the transaction card. There is no teaching of the address being associated with an IP address, but rather it is associated with a transaction card. Furthermore, Applicant could find no teaching

or suggestion of using self-reported geographic locations from multiple users using the same network address to predict the geographic location of another user using that same network address. Thus, Black does not remedy the deficiencies of Goeller and Hampton as discussed above with respect to claims 1, 17, and 25. Furthermore, as discussed previously, Goeller essentially requires the database of location information (i.e., ICANN registrars) to be accurate for determining the number of routers in the trace-route that are within the geographical area of interest. Without accurate location information, this determination would likewise be inaccurate. Thus, there is no reason to combine Black with Goeller because having relying on user entered location information in Goeller would result in faulty and inaccurate determinations.

Therefore, for these reasons, claims 1, 17, and 25 are patentable over Goeller in view of Hampton and Black. Because claims 7-8, 14, 16, 27, and 36 depend on claims 1, 17, and 25, these claims are also patentable over Goeller in view of Hampton and Black.

Claim 15, 24, and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller and Hampton in view of Black and further in view of U.S. Patent No. 5,950,172 to Klingman (hereinafter Klingman).

Klingman is cited for teaching using feedback information to determine data integrity. However, Klingman does not teach or suggest obtaining user-reported data for location information and then using the user-reported data to predict location or using self-reported geographic locations from multiple users using the same network address for predicting the geographic location of another user using that same network address. Therefore, because Klingman does not remedy the deficiencies of Goeller, Hampton and Black as discussed above with respect to claims 1, 17, and 25, claims 1, 17, and 25 are patentable over Goeller, Hampton, Black, and Klingman.

Because claims 15, 24, and 35 depend on claims 1, 17, and 25, respectively, claims 15,

24, and 35 are patentable over the cited references for at least the same reasons as claims 1, 17, and 25.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103.

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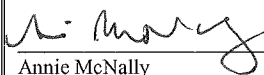
## CONCLUSION

For the foregoing reasons, Applicant believes pending claims 1-9, 11-31, and 33-36 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 202-3000.

### **Certificate of Transmission**

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